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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

)
) Case No. C-04-5096-CW (JCS)
) NOTICE OF WITHDRAWAL
) OF MOTION FOR DEFAULT
) JUDGMENT
) DATE: 9/23/05
) TIME: 1:30 P.M.
)

On September 19, 2005 the parties filed a Stipulated Judgment. Accordingly, the motion for default judgment scheduled for hearing on September 23, 2005 is moot and therefore withdrawn.

KEVIN V. RYAN United States Attorney

Assistant United States Attorney Chief, Tax Division

SO ORDERED

JOSEPH C. SPERO UNITED STATES MAGISTRATE JUDGE